



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/493,507	01/28/2000	Martin Franz	YO-999-599	2333

7590

01/13/2003

Ference & Associates
129 Oakhurst Road
Pittsburgh, PA 15215

EXAMINER

ABEBE, DANIEL DEMELASH

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 01/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/493,507

Applicant(s)

Franz et al.

Examiner
Daniel Abebe

Art Unit
2654



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Sep 16, 2002

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-19 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-19 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

4) ☐ Interview Summary (PTO-413) Paper No(s). _____

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

6) ☐ Other:

Art Unit: 2654

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's admittance, "Background of the invention" (Fig.1; Page 1), in view of Haug et al. (USP 6,292,771; "Haug").

As to claim 1, "Fig.1" shows a conventional audio indexing system, comprising:
a recognizer which converts speech into free/raw text (Fig.1, numeral 104); and
an indexing database for storing the free text (Fig.1, 108). It is noted that the step of translating the free text is not shown in "Fig.1". However, Haug teaches a natural language processing system for translating dictated/transcribed free text into structured text for storage in a database, comprising the step of receiving the free text and automatically transforming and correcting the free text prior to storage into a database (Fig.3, abstract; Col.2, line 55-Col.3, line 55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to translate the text in the convention system, in view of Haug, for the purpose avoiding the storage of a text that is mis-recognized by the system into the database.

Art Unit: 2654

As to claim 2, "Fig.1" teaches a feature extractor which transforms the words recognized by the speech recognizer into predetermined textual features (Fig.1, numeral 105).

As to claim 3, the admitted conventional system discloses where the textual feature comprises morph. of words recognized by the recognizer, (Page 10, lines 10-15).

As to claim 4, the admitted conventional system discloses where the textual feature comprises stems of words recognized by the recognizer (Page 10, lines 10-15).

As to claim 5, "Fig.1" shows wherein the speech recognizer is adapted to transform the recognized words into a predetermined textual feature (Fig.1) and Haug teaches where textual inputs are reconfigured (Figs.3).

As to claim 6, "Fig.1" shows wherein the speech recognizer is adapted to provide textual input to the indexer and Haug teaches where textual inputs are provided to the translator and reconfigured (Fig.3).

As to claim 7, "Fig.1" shows wherein the recognizer is a speech recognizer and the indexing database is audio indexing database.

As to claim 8, Haug teaches where the text translator comprises a trained model (Col.6, lines 35-53).

As to claim 9, Haug teaches a storage medium for storing the free text (Fig.2).

Claims 10-18 and 19 are method and apparatus claims, respectively, that are analogous to claims 1-9 and are rejected for the foregoing reasons.

Art Unit: 2654

Response to Arguments

3. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Daniel Abebe whose telephone number is (703) 308-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold, can be reached at (703) 305-4379. The facsimile phone number for this group is (703)872-9314.

Any inquiry of general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service office whose telephone number is (703) 306-0377

Daniel Abebe, Patent Examiner-Art Unit 2654

A handwritten signature in black ink, appearing to read 'Daniel Abebe', with a stylized flourish at the end.

January 8, 2003